IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 6270 of 2007(U)

PETITIONER:

SHANAVAS.M., INDUSTRIES EXTENSION OFFICER (NEDUMANGAD BLOCK), TALUK INDUSTRIES OFFICE, NEDUMANGAD, THIRUVANANTHAPURAM.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

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1. THE DIRECTOR OF INDUSTRIES AND COMMERCE DIRECTORATE OF INDUSTRIES AND COMMERCE, VIKAS BHAVAN, THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT, INDUSTRIES DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

3. DEPARTMENTAL PROMOTION COMMITTEE, REPRESENTED BY THE CONVENER AND DIRECTOR OF INDUSTRIES AND COMMERCE DIRECTORATE OF INDUSTRIES AND COMMERCE, VIKAS BHAVAN, TRIVANDRUM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 6270 OF 2007

Dated this the 26th February, 2007.

JUDGMENT

The petitioner belongs to the category of Industries Extension Officer. He filed objection against Ext.P4 revised seniority list of Industries Extension Officers for the period from 1.7.1983 to 30.6.2002. Govt. Pleader submits that the objections thus filed by the petitioner have been rejected. However, the records relating to the petitioner have been placed before the Departmental Promotion Committee which is scheduled to hold its meeting for considering Industries Extension Officers who fall within the field of choice for promotion to the post of Assistant District Industries Officer and Assistant Director. One of the reliefs prayed for by the petitioner is for a direction to the third respondent to consider the name of the petitioner and to include his name in the select list for the post of Assistant Director.

2. In the light of the statement made by the Govt. Pleader it is not necessary to issue any specific direction to the third respondent to consider the petitioner. Whether the petitioner's name shall be included or not will depend upon the consideration thus made by the Departmental Promotion Committee. Hence, it is premature to issue any

direction to the Departmental Promotion Committee to include the name of the petitioner. The other prayer made in the writ petition does not survive since the objection filed by the petitioner has already been considered and decision has been taken. The statement made by the Govt. Pleader shows that even going by the seniority assigned to the petitioner in the revised seniority list against which he had filed objections, he comes within the field of choice and his case also will be considered by the Departmental Promotion Committee. In the light of the above statements made by the Govt. Pleader this writ petition is disposed of.

K.K.DENESAN
Judge

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